

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) 8:08CR64
)
KENNETH J. SCHLIESMAN,)
)
Defendant.)

**PRELIMINARY ORDER
OF FORFEITURE**

This matter is before the Court on the United States' Motion for Issuance of Preliminary Order of Forfeiture (Filing No. 20). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. The Defendant has entered into a Plea Agreement, whereby he has agreed to plead guilty to Counts I and III of said Indictment. Count I of said Indictment charges the Defendant with willfully engaging in the business of dealing in firearms without a license, a violation of 18 U.S.C. § 922(a)(1)(A). Count III of said Indictment charges the Defendant with using the following on the basis they were firearms involved or used in the knowing commission of the offense charged in Count I:

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 207273

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 3878676

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 1854247

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 2774103

HARRINGTON AND RICHARDSON, TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 5751187

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 475630

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 4287410

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1296754

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 4453819

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 3217228

INLAND DIVISION (GENERAL MOTORS), TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 5516288

ARSENAL INC., TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 478391

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 6206476

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 150811

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 5495392

WINCHESTER, TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 1287485

ROCK-OLA MFG CORP, TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 1741518

WINCHESTER, TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 1274751

WINCHESTER, TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 5812500

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 3907712

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 2040405

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1618927

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 3745190

ARMORY USA - (ARSENAL USA), TYPE: PISTOL, MODEL: 1911A1, CAL: 45, SN: 1366007

ITHACA GUN CO., TYPE: PISTOL, MODEL: 1911A1, CAL: 45, SN: 1241648

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 70805

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 44597

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 88433

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 1056155

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 1513749

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 243563

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 57199

WINCHESTER, TYPE: RIFLE, MODEL: 1917, CAL: 30-06, SN: 90821

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1917, CAL: 30-06, SN: 472226

WINCHESTER, TYPE: RIFLE, MODEL: 1917, CAL: 30-06, SN: 127450

HARRINGTON AND RICHARDSON, TYPE: RIFLE, MODEL: MODEL M-12, CAL: 22, SN: AX518713

WINCHESTER, TYPE: RIFLE, MODEL: 1917, CAL: 30-06, SN: 362073

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 3061127

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 3473092

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 1041168

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 4053558

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1917, CAL: 30-06, SN: 323599

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 3687044

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2046335

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1823956

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1016955

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1037354

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 376606

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2061527

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 239324

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2837998

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 3826324

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2467092

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2459845

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 441202

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 4364430

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 917315

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 842627

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1001747

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 462599

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1145520

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2372419

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 738737

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1187794

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 3025934

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2645983

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 3842918

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 178929

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1620762

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2852991

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2066635

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2298925

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2497195

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 3057744

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 218009

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2492805

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 3320889

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 4445740

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 3874442

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1735921

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2498011

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2403552

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 5895004

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2403275

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 4299626

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 4289582

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2501277

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2463072

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 772515

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2393666

ARRINGTON AND RICHARDSON, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 5713078

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 4327000

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 4218953

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 4521385

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1379658

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 3499650

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 823384

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 841443

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 3399716

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN:
2389486

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 3521595

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 4282513

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 689672

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN:
2399012

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 3744373

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 4286258

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 2522535

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 181664

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 4453881

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 458088

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND,
CAL: 30-06, SN: 270251

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1355891

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1339499

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 3277360

ARSENAL INC., TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 5442221

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30-06, SN: 4560354

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 3409390

ARSENAL INC., TYPE: RIFLE, MODEL: M-1 CARBINE, CAL: 30, SN: 5416554

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 3486598

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1917, CAL: 30-06, SN: 1263221

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 3504764

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 03-A3, CAL: 30-06, SN: 3366044

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 3805767

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 4036876

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1917, CAL: 30-06, SN: 903959

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 3154364

NATIONAL ORDINANCE, TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 5017149

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: 1917, CAL: 30-06, SN: 812402

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 3841338

COLT, TYPE: PISTOL, MODEL: 1911A1, CAL: 45, SN: FG81866

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903 A3, CAL: 30-06, SN: 4576111

REMINGTON ARMS COMPANY, INC., TYPE: RIFLE, MODEL: 1903, CAL: 30-06, SN: 1066179

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2504337

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 317477

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2201257

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 168140

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1292845

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 1349860

ARMORY USA - (ARSENAL USA), TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 497804

WINCHESTER, TYPE: RIFLE, MODEL: M-1 GARAND, CAL: 30-06, SN: 2455251

2. By virtue of said plea of guilty, the Defendant forfeits his interest in the subject properties, and the United States should be entitled to possession of said properties, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

IT IS ORDERED:

A. The United States' Motion for Issuance of Preliminary Order of Forfeiture (Filing No. 20) is hereby sustained.

B. Based upon Count II of the Indictment and the Defendant's plea of guilty, the United States is hereby authorized to seize the firearms described above.

C. The Defendant's interest in said properties is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).

D. The aforementioned forfeited properties are to be held by the United States in its secure custody and control.

E. Pursuant to 21 U.S.C. § 853(n)(1), the United States of America forthwith shall publish at least once for three successive weeks in a newspaper of general circulation, in the county where the subject properties are situated, notice of this Order, Notice of Publication evidencing the United States' intent to dispose of the properties in such manner as the Attorney General may direct, and notice that any person, other than the Defendant, having or claiming a legal interest in any of the subject forfeited properties must file a Petition with the court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.

F. Said published notice shall state the Petition referred to in Paragraph E., above, shall be for a hearing to adjudicate the validity of the Petitioner's alleged interest in the

properties, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title or interest in the subject properties and any additional facts supporting the Petitioner's claim and the relief sought.

G. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the properties subject to this Order as a substitute for published notice as to those persons so notified.

H. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 20th day of May, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge